

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2061 - HB 2553

March 14, 2016

SUMMARY OF BILL: Repeals the requirement that a person, entity, or health care provider who receives notice of a potential claim for health care liability provide the potential claimant with written notice of any other persons, entity, or health care provider who may be a properly named defendant.

Defines “person” as an entity or individual for purposes of Tenn. Code Ann. § 29-26-121(a)(5).

Requires a person who receives notice of a potential claim for health care liability and asserts that the person would not be a proper defendant under Tenn. Code Ann. § 29-26-102 to provide the potential claimant with written notice of such assertion within 30 days of receiving the notice of a potential claim.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Removes requirement that person, entity, or health care provider inform potential claimant of any other persons, entities, or health care providers that may be properly named defendants.
- Defines “person” solely for the purpose of Tenn. Code Ann. § 29-26-121(a)(5) relative to providing notice to a potential claimant.
- Requires a person to provide notice to a potential claimant asserting that the person is not a properly named defendant.
- It is assumed that the bill will not significantly impact courts’ caseloads relative to health care liability actions. It is further assumed that any impact can be accommodated within the courts’ existing resources.
- The Administrative Office of the Courts confirms that any impact can be accommodated within existing resources.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/trm